

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE NO. 554 OF 2025

IN

EXECUTION APPLICATION NO. 508 OF 2022

ANAND
SUDHAKAR
SUDAME

Shriram Transport Finance Co. Ltd.

..Claimant

Versus

Javed Akhtar Ansari & anr.

..Respondents

Digitally signed
by ANAND
SUDHAKAR
SUDAME

Date: 2026.02.04
18:54:08 +0530

WITH

NOTICE NO. 604 OF 2025

IN

EXECUTION APPLICATION NO. 539 OF 2022

Axis Bank (formerly known as UTI Bank Ltd.)

..Claimant

Versus

Ghulam Mohamed Shaiffee

..Respondent

WITH

NOTICE NO. 632 OF 2025

IN

EXECUTION APPLICATION NO. 509 OF 2022

Shriram Transport Finance Co. Ltd.

..Claimant

Versus

Mohammed Faisal Nisar Qureshi & anr.

..Respondents

Mr. Narayan Awate, Advocate, for the Claimants

CORAM : RAJESH S. PATIL, J.

DATE : 03.02.2026

P. C.

1) Mr. Awate, learned counsel appearing for the claimants submits that the execution proceedings arise out of an Arbitral Award, where the Arbitrator's appointment was unilateral. Hence, he on instructions of his clients seeks leave to withdraw the present execution applications, with liberty to initiate fresh arbitration proceedings.

2) I have taken a view in the judgment of **L & T Finance Ltd. vs. Sangeeta Bhansali & Anr. in Commercial Execution Application (L) No. 5277 of 2022**, considering the latest judgment of the Supreme Court decided on 5 January, 2026, in the matter of ***Bhadra International (India) Pvt. Ltd. and others vs. Airport Authority of India***, Civil Appeal No. 37-38 of 2026, wherein it has been held that even at the stage of execution, an arbitral award can be set aside being *void-ab-initio* on the grounds that the appointment of the arbitrator was unilateral.

3) Leave and liberty as prayed for, is granted.

3.1) The Arbitral Awards which are subject matters of the present proceedings are hereby declared to be non-est in law, non-executable and *void-ab-initio*.

4) **Execution Application** along with **Notice** stand **disposed of** as withdrawn.

5) In sequel, **the Interim Applications**, if any, also stand **disposed of**.

- 6) It shall be open for the parties to initiate fresh arbitration proceedings in accordance with law.
- 7) As far as limitation is concerned, the period from the invocation of the arbitration till today shall stand excluded for the purpose of initiating fresh arbitration proceedings.

(RAJESH S. PATIL, J.)